

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
SEPTEMBER 8, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, September 8, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose 'Butch' Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, Personnel/Safety Director Charles Schneider, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All three board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on August 25, 2009, and the special meeting held on August 28, 2009.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

QUOTES FOR BADENDORFF STORM SEWER PHASE III PROJECT

City Engineer Chad Hurm gave a brief description of the Badendorff storm sewer phase III project. A Notice to Bidders appeared in the Herald on August 22 and 29, 2009. City Attorney Sandra Hemmerlein then opened and read the following bids that contained Form 96 and a bid bond:

Knies Construction	\$119,975.00
Messmer Mechanical	\$108,000.00
Trademark Utility Systems	\$130,000.00

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to take the bids under advisement and have the city engineer and

the street commissioner review them and report back at the next meeting. Motion carried 3-0.

QUOTES FOR PULVERIZER/SCREENER BUCKET

City Attorney Sandra Hemmerlein opened and read the following quotes received for a pulverizer/screener bucket:

Allu	\$20,888.50 (includes freight)
Ken Burns, Inc	\$24,000.00 (includes freight)

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to accept the low quote from Allu for \$20,888.50 provided it meets all the specifications. Motion carried 3-0.

REMAX FALL FESTIVAL

Steve Wigand, representing ReMax Realty, asked permission to hold a fall festival customer appreciation day at the River Walk on October 4, 2009 from noon to 4:00 p.m. He stated there would be live music and refreshments served. Mayor Schmitt informed Wigand that he needs to meet with the fire chief about how to get an entertainment permit from the state.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of ReMax Realty to use Dave Buehler Plaza, shelter house 1 and 2, and the gazebo on October 4, 2009 from 12:00 p.m. to 4:00 p.m. Motion carried 3-0.

FREE TREE CARE WORKSHOP

Jasper Chamber of Commerce Director Nancy Eckerle asked permission to use the historic barn at 4th and McCrillus Streets on September 26, 2009 from 8:30 a.m. to 11:00 a.m. Patoka 2000 Trees Organization is sponsoring a mini tree care workshop. Eckerle asked the Board to waive the fee to rent the barn since the event is for educational purposes, free and open to the public. There will be a presentation and demonstration so one can learn about basic tree care, selecting the right tree for your yard and how to prune trees and shrubs.

A **motion** was made by Thomas Schmidt and seconded by Ambrose ‘Butch’ Schitter to approve the request of the Jasper Chamber of Commerce to utilize the Barn at 4th and McCrillus Streets for a tree care workshop on September 26, 2009 from 8:30 a.m. to 11:00 a.m. provided they have proper insurance required to trim a tree on City property, and waive the fee because the workshop is for educational purposes. Motion carried 3-0.

SANTA CLAUS IS COMING TO TOWN PARADE and O’ TANNENBAUM DAYS

Jasper Chamber of Commerce Director Nancy Eckerle asked permission to use the 6th Street fire station, a fire struck and the streets from the fire station to the west side of the Square for the annual Santa Claus is Coming to Town parade on Wednesday, November 25, 2009 from 5:45 p.m. to 6:15 p.m. Santa will board the fire truck at the fire station and proceed to the Square.

Eckerle also asked permission to use some city streets for carriage rides during O'Tannenbaum Days on December 4, 5, and 6, 2009. The route, which is the same as last year, starts at City Hall, then north on Main Street to 9th Street, east on 9th Street to Jackson Street, south on Jackson to 6th Street, then back to City Hall. The carriage rides are scheduled for:

Friday, December 4 - 5:00 p.m. to 8:00 p.m.

Saturday, December 5 - 12:00 p.m. to 4:00 p.m.

Sunday, December 6 - 12:00 p.m. to 3:00 p.m.

Eckerle then requested permission to allow a group to set up in front of City Hall to sell refreshments and/or for some musician to set up in that area to provide entertainment.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request of the Chamber of Commerce for a Santa Parade on November 25 and O'Tannenbaum Days on December 4th, 5th, 6th which includes carriage rides. Motion carried 3-0.

PRECIOUS BLOOD 5K RUN/WALK

Audrey Fischer, representing Precious Blood IPT, asked the Board to approve the route for the first annual Precious Blood 5K Run/Walk on October 3, 2009. The route begins at the Precious Blood Church parking lot, goes to Gregory Lane, thence down Kluemper Road to 5th Street, then around Skyview Drive and back to Precious Blood. Fischer said volunteers would be at the intersections and the police will provide a lead vehicle.

City Attorney Sandra Hemmerlein reviewed the waiver section of the registration form and said the waiver needs to list the City of Jasper and it needs language to make it more specific. Hemmerlein said she would provide Fischer with a sample of the language needed for the waiver form.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request from Precious Blood IPT to have a 5K Run/Walk on Saturday, October 3, 2009 from 8:00 a.m. until its conclusion. Motion carried 3-0.

IVY MANOR PARKING REQUEST

Janet Schitter, owner of Ivy Manor located at 215 E. 9th Street, requested two-hour parking for three spaces in front of her business. Currently the parking on the south side of 9th Street west of Mill Street is unregulated.

Mayor Schmitt stated a lengthy study regarding downtown parking had been done when the parking meters were eliminated. He is concerned whether this area could be included in the parking enforcement officer's route and before a decision can be made the City needs to look if we need to expand the regulated parking. Mayor Schmitt asked the police chief, city engineer, and street commissioner to evaluate the area and report back at the next meeting.

RIGHT-OF-ENTRY AGREEMENT

Street Commissioner Raymond Eckerle presented two signed Right-of-Entry agreements needed for the construction of the Gun Club Road Storm Sewer

project. James Stallman signed one agreement and Kenneth and Renae Schmidt signed the other agreement that allows the City to enter upon their property so we can perform the necessary duties needed to replace the storm sewer along Gun Club Road and University Drive.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to enter into a Right-of-Entry agreement with James Stallman and Kenneth and Renae Schmidt in order to complete the storm sewer project at University Drive and Gun Club Road. Motion carried 3-0.

FIRE STATION HOSE TOWER REMOVAL

Fire Chief Kenneth Hochgesang asked permission to seek quotes to remove the hose tower at the 6th Street fire station. This would be a 3-4 day project and the funds are available.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to give the fire chief permission to seek quotes to remove the hose tower at the Herman Kiefer Fire Station. Motion carried 3-0.

JUNK RADIO

Fire Chief Kenneth Hochgesang asked permission to junk the mobile radio in squad truck #1, asset #100439, and remove it from inventory.

A **motion** was made by Thomas Schmidt and seconded by Mayor Schmitt to remove asset #100439 from inventory and junk the item. Motion carried 3-0.

HIGH WEED COMPLAINTS

Fire Chief Kenneth Hochgesang reported to the board the names of property owners and the locations that have been cited under 5.12.040 weed removal/notice. The names and locations are as follows:

Owner	Location
Jason & Heather Black	233 Hillside Dr Pt E 1/2 SE 35-1-5 .14 A
Nicholas S. Evans	Badendorff Add Pt Lot 5
Robert & Nichelle Clark	917 Mill St
Alfred Seifrig	Schumakers Subdivision
	Lots 35, 36, 45, 46, 47, 48

POLICE REPORTS

Police Chief Douglas Tarvin presented to the Board for its review the following reports for the Jasper Police department.

Vehicle Fuel & Maintenance Report for June 2009
Vehicle Fuel & Maintenance Report for July 2009

OLD RADIO EQUIPMENT

Police Chief Douglas Tarvin said Advanced Communications is getting ready to work on the duplexer that is located in the radio tower building and found some real old radio equipment stacked in the corner. Tarvin said the equipment is not listed on the fixed asset inventory and asked permission to get rid of this old outdated radio equipment.

Mayor Schmitt said he thinks there should be a list compiled of what is being destroyed.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to get rid of the outdated radio equipment in the proper fashion and provide an inventory list. Motion carried 3-0.

COMPREHENSIVE PLAN WORKSHOP

Kevin Senninger, representing RATIO Architects the firm that was contracted to assist the City with updating its comprehensive plan, said a public workshop will be held at the Habig Center in the evening on Wednesday, September 16, 2009. It is an informal gathering that allows the public to suggest long term goals for the area, what changes and improvements need to be made as well as what to continue.

LIMITED PRELIMINARY RAILWAY SERVICES AGREEMENT

Mayor Schmitt said at this time the City does not have a contract with the Indiana Railway Museum [IRM] to operate the train. On September 18, 2009 Larry Hanselman and his sister Diane Klein have rented the train for their class reunions. To avoid having a special meeting, Schmitt asked the Board to give him authorization to enter into a one time contract for a one day event if the City does not have a contract with IRM by September 18th.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter that in the event the City does not have a long term contract with Indiana Railway Museum prior to September 18, 2009, the Board of Public Works and Safety authorizes the Mayor to enter into a contract for the one day event on September 18th similar to the contract for the August 29th Spirit of Jasper Night. Motion carried 3-0.

EASEMENTS

City Attorney Sandra Hemmerlein presented the following easements for acceptance and approval:

Grant of Permanent Electric Utility Easement

Michael D. Andis & Sylvia K. Andis – Part of Lot Number 234 in Badendorff VI

Cheryl K. Bingemer – Part of Lot Number 121 in Badendorff III

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve and accept the easements as described by the City Attorney. Motion carried 3-0.

MILL PROJECT CHANGE ORDER REQUEST

Mayor Schmitt said at the last meeting a change order request for \$1,625.00 for the Mill project to paint the exterior side of all the exterior windows was tabled and is still tabled indefinitely.

CLAIMS. The claims against the City from August 6, 2009 to September 3, 2009 were presented to and examined by the board. Those claims found to be just,

due, and owing were approved 3-0 upon **motion** by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter.

ARTHRITIS FOUNDATION ANNUAL WALK

Mayor Schmitt read a request submitted by the Arthritis Foundation Branch Director Vicki Eichmiller. Eichmiller asked if the Arthritis Foundation could use Bohnert Park and the main shelter house on Saturday, September 19, 2009 from 7:00 a.m. to 12:00 noon for the annual Arthritis Walk.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request from the Arthritis Foundation to use Bohnert Park on September 19, 2009 from 7:00 a.m. to 12:00 noon subject to participants signing a waiver form and a certificate of insurance is provided. Motion carried 3-0.

ADJOURNMENT. There being no further business to come before the board, a motion was made Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:11 a.m.

The minutes were hereby approved ____ with X without corrections or clarification this 22nd day of September, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary